

## **REMARKS**

Upon entry of the present Preliminary Amendment-A the claims in the application are claims 9-27, of which claims 12, 19 and 20 are independent.

The specification and abstract have been amended to overcome minor informalities therein, while the labels for FIGS. 1(a)-1(c), 2(a) and 2(b) are modified and new drawing FIGS. 4(a), 9 and 10 are added and the specification is amended to discuss the new drawings as well. Again, FIG. 4(a) shows the modified version of the apparatus of original FIG. 4 including a division wall provided in a substantially central area of one passage as described at paragraph [055] of the original specification, while FIGS. 9 and 10 schematically show the manufacturing method as described at paragraphs [057], [058] of the original specification.

The above amendments to the claims reflect not only original claims 1-8 of International Application PCT/JP03/11846, but also an Amendment which was submitted in the International Application under Article 34, in which original claims 1-8 were cancelled and claims 9-18 had been added. Particularly: new independent claim 19 is added which defines a method for preparation of an emulsion; claim 9 is amended to depend from claim 19; claims 11-18 are amended to be more definite and to eliminate multiple dependencies; and new claims 20-27 correspond to original claims 1-8 except that some changes are effected to make the claims more definite and to eliminate multiple dependencies.

Applicant respectfully submits that all of the above amendments are fully supported by the original application. Applicant also respectfully submits that the above amendments do not introduce any new matter into the application.

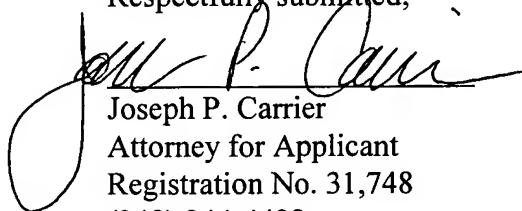
Additionally, applicant notes that in the International Search Report in International

Application PCT/JP03/11846, the three primary references that were cited (as Category X/Y relative to original claims 1-7) are published articles by persons including named inventors of PCT/JP03/11846, each having a publication date less than one year before the priority date of the present application, i.e., September 18, 2002 the filing date of Japanese Patent Application No. 2002-271973. Applicant also notes that any invention(s) disclosed in the published articles was/were derived from the inventors of the above-named application, and is/are thus not an invention "by another" in relation to the subject matter claimed in the above-named application under 35 USC 102(a).

Favorable consideration is respectfully requested.

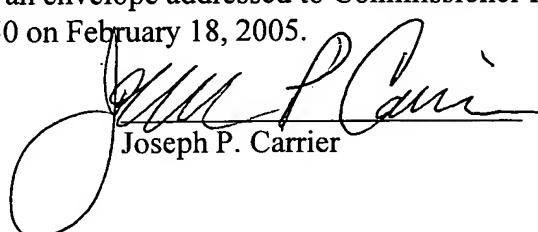
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail Certificate No. ED150632762US in an envelope addressed to Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on February 18, 2005.

  
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~~FIG. 1~~

FIG. 1(a)

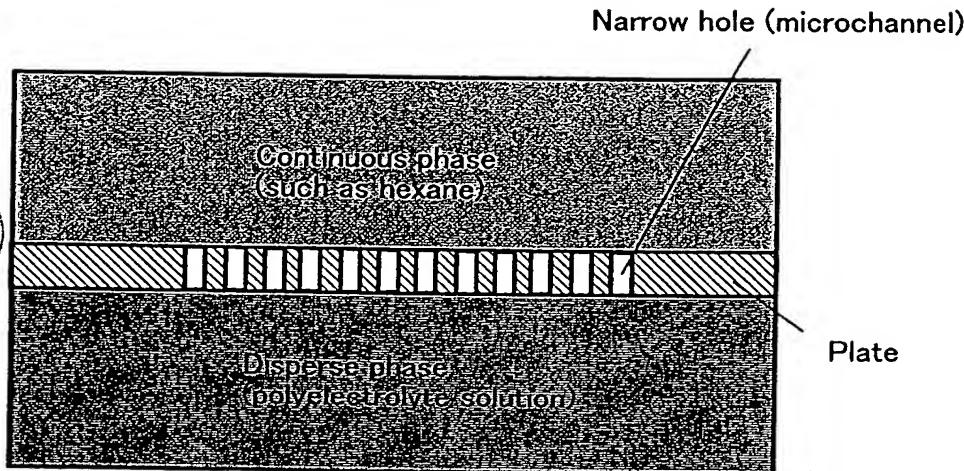
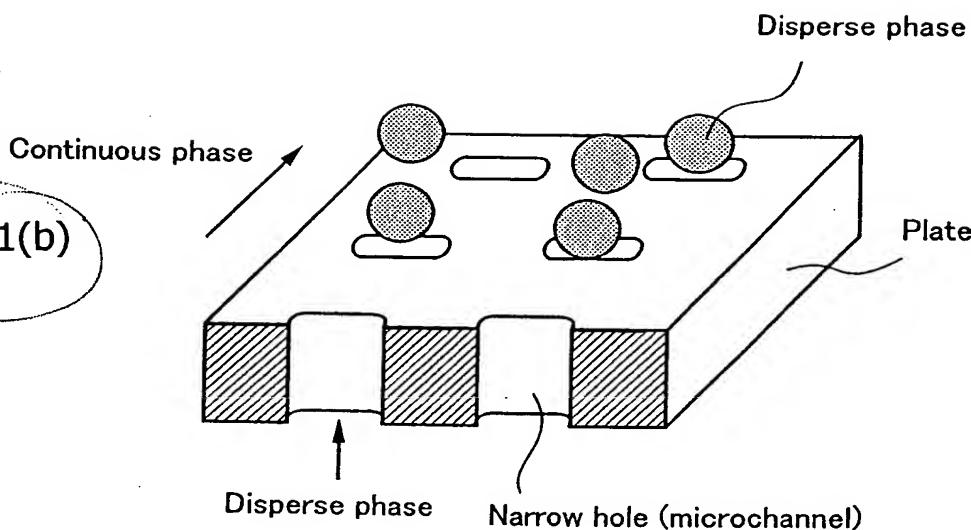
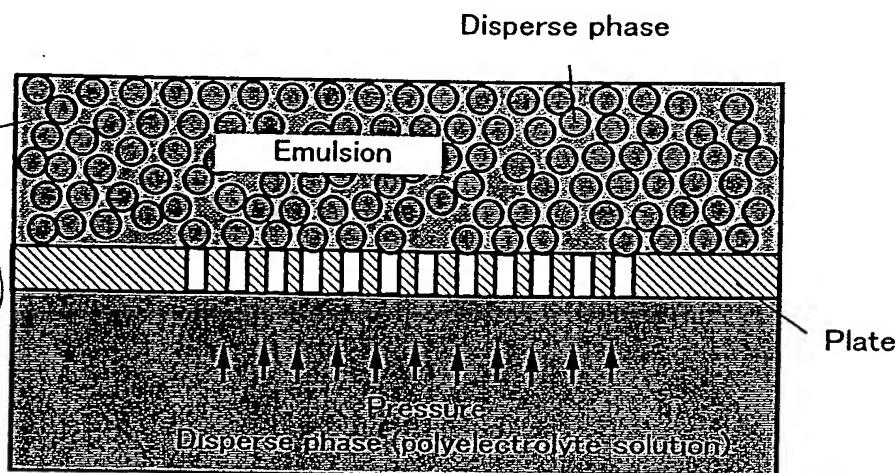


FIG. 1(b)



Continuous phase

FIG. 1(c)

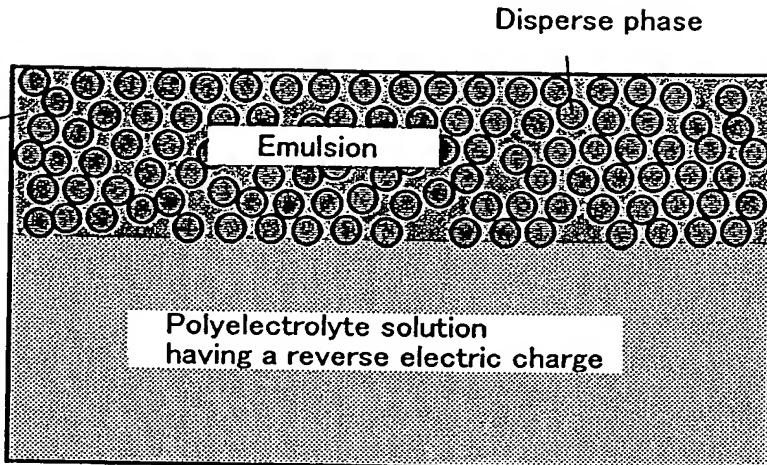


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D16.2

Continuous phase

FIG. 2(a)



Continuous phase

FIG. 2(b)

Microcapsule

